

need to make sure that appropriations are provided for these improvements to be made real.

Mr. DURBIN. Madam President, today the Senate will act to make major improvements to our water infrastructure for commercial and recreational navigation while protecting and maintaining many environmental treasures for future generations.

The Water Resources Reform and Development Act—which the House passed 412 to 4—is one of the few bipartisan accomplishments of this Congress. I wish there were more.

Nevertheless, I would like to thank Chairman BARBARA BOXER and Senator VITTER of the Senate Environment and Public Works Committee and Chairman BILL SHUSTER and Congressman NICK RAHALL on the House side for their hard work in getting this bill to us today.

I would also like to thank my Illinois delegation colleagues on both sides of the Capitol and on both sides of the aisle for their assistance in advancing Illinois priorities in this bill.

I am pleased that in the final bill there are many provisions that will benefit our home State.

It was just a little over a year ago that we dealt with a major drought in the Midwest that caused record low water levels on the Mississippi River and threatened to disrupt the crucial transport of millions of dollars in goods and commodities on the river.

After the initial threat had passed, thanks to better-than-expected rainfall and quick action by the Army Corps of Engineers at the behest of Congress, Representative BILL ENYART and I introduced the Mississippi River Navigation Sustainment Act. The major provisions of this measure are included in the bill we will pass today.

These provisions will improve water level and river forecasting abilities along the Mississippi and give the Corps greater flexibility to respond to low water events that threaten navigation. The bill also authorizes the Corps to conduct, for the first time, a study of the entire Mississippi River Basin—which spans 40 percent of the continental United States—to determine how we can better manage the system during extreme weather. Finally, we create an environmental management program for the middle Mississippi—recognizing the importance of preserving and restoring fish and wildlife habitats while undertaking important navigation improvements.

River commerce in America's heartland depends on the system of locks and dams on the Mississippi and Illinois Rivers.

I was pleased to work with my colleagues in the 2007 reauthorization of the Water Resources Development Act to authorize modernization and expansion of the locks on these important Illinois waterways.

These improvements make commerce more efficient and guard against catastrophic failures of current locks and

dams as most of them reach 80 or so years old. At the same time, with current project delivery schedules and the tight Federal budget, these improvements are not expected to be realized until 2090 by some estimates.

With that in mind, Senator MARK KIRK and I, along with our colleagues Representatives CHERI BUSTOS and RODNEY DAVIS in the House, introduced the Water Infrastructure Now Public Private Partnership Act or WIN-P3. A version of our proposal is included in the final conference report.

It includes a pilot program that would decentralize project planning, design, and construction from the Corps and provide an opportunity for private financing to come to the table. We are hopeful that it will speed project delivery of nationally significant water infrastructure projects like the locks and dams on the Mississippi and Illinois Rivers.

Along with the economic and recreational benefits of the Mississippi River comes the annual threat of devastating floods for many Illinois communities.

In Illinois' Metro East region the community has stepped up to improve flood protection after their levees were decertified. They have taxed themselves to help pay for this improved protection and have endured a long and often frustrating partnership with the Army Corps.

My hope is that the provisions we secured in this bill will go a long way to improving their situation.

The bill would combine several separately authorized levee projects into one. That means that the money Congress appropriates for these projects will be more flexible and can be used where it is most needed.

Additionally, the bill would allow the Metro East levee projects to qualify for work-in-kind credit with the Army Corps. This will help make the work the locals are doing go farther towards the completion of the final levels of protection.

The conference report will also allow much needed restoration of the Chicago shoreline along Lake Michigan to continue. The project was facing delay as it got closer to hitting its original authorization cap. This bill increased that authorization.

I would like to thank again all those who worked on this bill. I look forward to this bipartisan accomplishment being soon signed into law by President Obama.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF DAVID JEREMIAH BARRON TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of David Jeremiah Barron, of Massachusetts, to be United States Circuit Judge for the First Circuit.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of David Jeremiah Barron, of Massachusetts, to be United States Circuit Judge for the First Circuit?

Mr. ISAKSON. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Indiana (Mr. COATS).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted "nay."

The PRESIDING OFFICER (Ms. HIRONO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 162 Ex.]

YEAS—53

Baldwin	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Booker	Johnson (SD)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Markey	Udall (CO)
Coons	McCaskill	Udall (NM)
Donnelly	Menendez	Walsh
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden
Hagan	Nelson	

NAYS—45

Alexander	Cruz	Johnson (WI)
Ayotte	Enzi	Kirk
Barrasso	Fischer	Landrieu
Blunt	Flake	Lee
Burr	Graham	Manchin
Chambliss	Grassley	McCain
Coburn	Hatch	McConnell
Cochran	Heller	Moran
Collins	Hoeven	Murkowski
Corker	Inhofe	Paul
Cornyn	Isakson	Portman
Crapo	Johanns	Risch